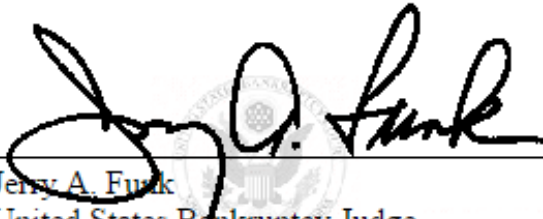


ORDERED.

Dated: May 25, 2021



Jerry A. Funk
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

CASE NO.: 3:16-bk-3913-JAF

LILLY J. REAL,

Chapter 7

Debtor.

**ORDER DENYING FRANK POLO'S MOTION FOR CERTIFICATION OF APPEAL
TO THE ELEVENTH CIRCUIT COURT OF APPEALS**

This case came before the Court upon Motion for Certification of Appeal to the Eleventh Circuit Court of Appeals filed by Frank Polo (Doc. 102). Mr. Polo seeks to have this Court certify his appeal of the Court's Order dated April 16, 2021 Denying Verified Motion for Relief from All Judgments entered in this case to the Eleventh Circuit Court of Appeals. The Court finds it appropriate to deny the Motion.

Bankruptcy Rule 8006 permits a party to request certification of a direct appeal from a bankruptcy court order to a court of appeals if "a circumstance specified in 28 U.S.C. § 158(d)(2)(A)(i)-(iii) exists." The circumstances that may justify a direct appeal are:

i) the judgment, order, or decree involves a question of law as to which there is no controlling decision of the court of appeals for the circuit or of the Supreme Court of the United States, or involves a matter of public importance;

(ii) the judgment, order, or decree involves a question of law requiring resolution of conflicting decisions; or

(iii) an immediate appeal from the judgment, order, or decree may materially advance the progress of the case or proceeding in which the appeal is taken;

28 U.S.C. § 158(d)(2)(A)(i)-(iii). Mr. Polo argues that his appeal involves a matter of great public importance. “To constitute an issue of ‘public importance,’ the issue on appeal must transcend ‘the litigants and involve a legal question, the resolution of which will advance the cause of jurisprudence to a degree that is usually not the case.’” In re Tribune Co., 477 B.R. 465, 472 (Bankr. D. Del. 2012) (quoting American Home Mort., 408 B.R. 42, 44 (D. Del. 2009)). Mr. Polo’s appeal does not involve a matter of public importance. Accordingly, certification of a direct appeal to the Court of Appeals for the Eleventh Circuit on this basis is not appropriate. Mr. Polo does not appear to argue that any of the other circumstances set forth in 28 U.S.C. § 158(d)(2)(A) apply. To the extent that he does, the Court finds that they do not apply. Upon the foregoing, it is

ORDERED:

Motion for Certification of Appeal to the Eleventh Circuit Court of Appeals filed by Frank Polo is denied.

Clerk’s Office to Serve